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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/050,586	01/18/2002	Hong Qiu	1089.0350001	9055	
26111 7:	590 02/26/2003				
STERNE, KESSLER, GOLDSTEIN & FOX PLLC 1100 NEW YORK AVENUE, N.W., SUITE 600 WASHINGTON, DC 20005-3934			EXAMINER		
			DOUGHERTY, THOMAS M		
			ART UNIT	PAPER NUMBER	
•			2834		
			DATE MAILED: 02/26/2003	3	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.   Applicant(s)   Calue TA I.	•								
### Doughetty   2334   234		Application No. Applicant(s)							
Thomas M. Dougherty 284  The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  If the pand for reply specified size is less than thisy (30) stays, a reply within the delatedry minorum of birth (20) stays will be considered fromly.  If the pand for reply specified size is less than thisy (30) stays, a reply within the delatedry minorum of birth (20) stays will be considered fromly.  If the pand for reply specified size is less than thisy (30) stays, a reply within the delatedry minorum of birth (20) stays will be considered fromly.  If the pand for reply specified size is less than thisy (30) stays, a reply within the delatedry minorum of birth (20) stays will be considered fromly.  If the pand for reply specified size is less than the replacement of the communication, are shall replaced to the second property of the stay of the second property	4	10/050,586		QIU ET AL.					
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Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time ray be available under the providions of 37 CFR 1.35(a). In no event, however, may a reply be limitly filled.  Extensions of time ray be available under the providions of 37 CFR 1.35(a). In no event, however, may a reply be limitly filled.  Extensions of time ray be available under the providions of 37 CFR 1.35(a). In no event, however, may a reply be limitly filled.  Extensions of time ray be available under the providens of 37 CFR 1.35(a). If the period for reply is specified above, the maximum delabory period will apply and will capie STX (6) MONTHS from the mailing date of this communication. If the period for reply is specified above, the maximum delabory provided will apply and will capie STX (6) MONTHS from the mailing date of this communication, even if timely filed, may reduce any commend patient term adjustment. See 37 CFR 1.704(b).  Status  1)									
THE MAILING DATE OF THIS COMMUNICATION.  Extransions of time map be available under the provides of 3D FR. 135(a). In no avent, however, may a reply be timely filed after 50. (6) MCNTIST from the nating side of this communication.  It is provided to the provided of the communication of the provided of the communication.  It is provided to reply available above the maximum statestor period tallegal and with a growth of the communication.  Failwe to reply voltable hose of contended prior for reply will. by statele, cause the application to become ARANDONED (38 U.S.C. § 133). Any reply received by the Office and the time have medical states the first maining date of this communication, even if timely filed, may reduce any secured patient sum adjustment. See 97 CFR 1.79(b).  Status  1) Responsive to communication(s) filed on 18 January 2002.  2a) This action is FINAL.  2b) This action is rinAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-2g is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are rejected.  7) Claim(s) is/are rejected to.  8) Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) The drawing(s) filed on is/are: all accepted or bl objected to by the Examiner.  Application Papers  10) The drawing(s) filed on is/are: all accepted or bl objected to by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) The proposed drawing correction filed on is/are: all accepted or bl objected to by the Examiner.  If approved, corrected drawings are required in reply to this Office action.  12) Creditied copies of the priority documents have been received.  2 Creditied copies of the priority documents have been received in t	V -								
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Application/Control Number: 10/050,586

Art Unit: 2834

## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-24 are, drawn to a method of making a piezoelectric material, classified in class 252, subclass 62.9R.
- Claims 25-29, drawn to a piezoelectric material, classified in class 310, subclass 358.

The inventions are distinct, each from the other because of the following reasons:

Inventions of Group I and of Group II are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the process as claimed can be used to make another and materially different device such as a capacitor comprised of an oxide or a piezoelectric device for use in other than a printing device, e.g. a motor component, a sensor, chemical or tactile, etc.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas M. Dougherty whose telephone number is (703) 308-1628. The examiner can normally be reached on 8:30-16:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor R Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

tmd

February 24, 2003

Ahanar M. Layherty